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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
JESUS YANEZ PLANCARTE,)
a/k/a Mario Pacheco Pulido,)
)
Defendant.)
)

No. CR 11-0758 EMC

**STIPULATION AND ~~[PROPOSED]~~
ORDER EXCLUDING TIME UNDER 18
U.S.C. § 3161**

The defendant appeared for his initial status conference before this Court on November 3, 2011. The parties requested a pre-plea Pre-Sentencing Report (PSR) for Mr. Yanez-Plancante. Defense counsel represented that the pre-plea PSR will aid Mr. Yanez-Plancante's understanding of the potential sentence he may face in this case. The parties have agreed to exclude the period of time between November 3, 2011 to December 14, 2011, from any time limits applicable under 18 U.S.C. § 3161. The parties represented that granting the exclusion would allow the reasonable time necessary for effective preparation of counsel. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). The parties also agree that good cause exists, and that the ends of justice

1 served by granting such an exclusion of time outweigh the best interests of the public and the
2 defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). At the hearing, the Court made findings
3 consistent with this agreement.

4 SO STIPULATED:

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6 MELINDA HAAG
United States Attorney

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8 DATED: November 28, 2011

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11 /s/
SUSAN PHAN
Special Assistant U.S. Attorney

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DATED: November 28, 2011

/s/
JODI LINKER
Attorney for JESUS YANEZ-PLANCARTE

[PROPOSED] ORDER

For the reasons stated above at the November 3, 2011 status conference, the Court finds that the exclusion from the time limits applicable under 18 U.S.C. § 3161 of the period from November 3, 2011 to December 14, 2011 is warranted and that good cause exists, and the ends of justice served by the continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. §3161(h)(7)(A).

IT IS SO ORDERED.

DATED: 11/29/11 _____

